

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AMENDING
THE CITY OF HENDERSONVILLE PERSONNEL POLICY**

WHEREAS, the City of Hendersonville maintains a Personnel Policy. The purpose of which is to establish a system of personnel administration for recruiting, selecting, employing, developing and maintaining an effective and responsible workforce; and

WHEREAS, the City of Hendersonville wishes to amend Article I. Section 9 – Definitions.

The city has been a participant in the University of North Carolina School of Government's (UNC SOG) Lead for North Carolina pilot program where they pair local governments and Temporary Fellows. In the beginning, the UNC SOG required the hosting organization (in our case the City of Hendersonville) to consider the Temporary Fellow's as employees and specify this in the organizations Personnel Policy, as well as pay the Temporary Fellow directly and offer health care benefits or a taxable subsidy. The UNC SOG has changed the program and no longer stipulates these requirements on the hosting organization. The Lead for North Carolina Temporary Fellow as an employee of the city is being removed.

WHEREAS, the City of Hendersonville also wishes to amend Article VII Section Military Leave. Clarification is being made of how and when employees on military leave may continue health and dental coverage.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that from and after the effective date of this resolution, Article I. Section 9 and Article VII Section 22 of the Personnel Policy attached to this resolution, is hereby adopted.

This policy will become effective as of the date of adoption.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of July 2026

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

Article I. Section 9 Definitions

~~Temporary Fellow. A person hired by the City through the Lead for North Carolina (LFNC) program. The employee will be eligible for health care benefits or a taxable subsidy. The nonexempt employee will be paid hourly for a maximum of 40 hours per week.~~

Article VII. Section 22. Military Leave

In accordance with federal and state laws, the City provides military leave to employees who are members of a United States Armed Forces Reserve organization or National Guard for absences to perform military duty, whether voluntary or involuntary. Absences to perform any military duty (including active duty, active duty training, inactive duty training such as scheduled drills and summer camp, full-time National Guard federal duty, fitness-for-duty examination, and funeral honors duty) are covered by this policy, unless the employee reaches the five-year maximum of military leave as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA). This policy provides military leave to regular City employees unless their employment is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.

Employees should submit a request for military leave to the supervisor or Department Head as soon in advance of the military duty as possible. The request should be in writing and should be accompanied by a copy of the military orders. Employees must report back to work as soon after military duty as possible, consistent with federal and state laws. If the reason for the employee's delay is not related to military duties, the employee is subject to the personnel policies and practices normally applied to employees with unexcused absences.

Employees may choose whether to use earned compensatory time, accrued vacation leave (leave with pay), leave without pay, or some combination thereof for these absences, and the provisions of that leave shall apply. Upon exhausting all other paid leave, employees may request to use sick leave, if approved by the City Manager.

Regular employees choosing to use military leave may claim up to ten (10) days of differential pay per calendar year provided the days are recorded as military leave and the military basic pay is less than the employee's regular City pay. To claim differential pay, the employee must submit a copy of his/her military orders, pay vouchers, Leave and Earnings Statement and/or other appropriate documentation evidencing performance and compensation pertinent to the military duty.

During the period of military leave, regular employees may continue health and dental insurance coverage, provided they continue to pay their share of the premiums up ~~to eighteen~~ months under COBRA coverage ~~Employees performing military service of more than 30 days may elect to continue the City's health and dental insurance coverage for up to 24 months but will be responsible for paying the insurance premiums up to 102% of the premium costs. Employees whose military service is less than 31 days will continue their health and dental insurance coverage as if they were at work with the City.~~ As with any other unpaid leave, employees do not accrue vacation leave or sick leave during the period of leave without pay. However, the balance of such accruals on the date of commencement of the military leave will remain intact for the employee's return to work.

